

**UNITED STATES OF AMERICA
BEFORE THE
NATIONAL LABOR RELATIONS BOARD**

LONGWOOD SECURITY SERVICES, INC.

Employer

and

UNITED GOVERNMENT SECURITY
OFFICERS OF AMERICA
INTERNATIONAL UNION AND ITS
LOCAL 365

Petitioner

Case No.: 01-RC-145376

EXCEPTIONS TO THE HEARING OFFICER'S REPORT ON OBJECTIONS

Pursuant to Section 102.69 of the Rules and Regulations of the National Labor Relations Board ("NLRB" or "Board"), Longwood Security Services, Inc. ("Longwood" or "Employer"), excepts to the Hearing Officer's Report on Objections¹ as follows:

1. To the Hearing Officer's recommendation that Petitioner's Objection No. 3 be sustained. (Report, pp. 1-2).^{2,3}
2. To the Hearing Officer's reliance on "the specific language contained in Manual Section 11310.2 ('the Board agent should not attempt to determine the eligibility of an observer. Rather, unresolved issues should be left to the objections process')." (Report, p. 8).

¹ Longwood's brief in support of these exceptions is being submitted contemporaneously herewith.

² Citations to the Hearing Officer's Report are in the following format: (Report, p. --).

³ The Hearing Officer in two places inadvertently referred to "the Employer's Objections." (Report, p. 3). The Employer did not file objections. Also, the Hearing Officer also inadvertently refers to "the witnesses," when the record reflects that there was only one witness. (Report, p. 3, fn. 3).

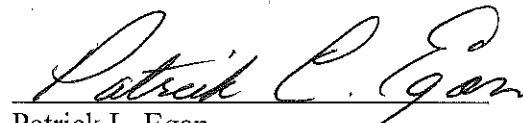
3. To the Hearing Officer's reliance on "the Board in *Browning-Ferris* determined that the Board agent's exclusion or disqualification, *antequm factum*, of the Union's attempt to designate a nonemployee union official as its observer constituted 'a breach of the (election) agreement's provision for an equal number of observer...which warrants setting aside the election'." (Report, p. 8).
4. To the Hearing Officer's finding that "under the circumstances herein, that the Petitioner's Objection No. 3 raises substantial and material issues affecting the results of the election." (Report, p. 8).
5. To the Hearing Officer's recommendation that "the selection be set aside, and that a rerun election be directed." (Report, p. 8).

WHEREFORE, Longwood respectfully requests the foregoing Exceptions to the Hearing Officer's Report on Objections be sustained, the Hearing Officer's recommendation that the election results be set aside and that a rerun election be held be rejected and that a Certification of Results of Election be issued.

Respectfully submitted,

LONGWOOD SECURITY SERVICES, INC.

By their attorneys,



Patrick L. Egan
JACKSON LEWIS P.C.
75 Park Plaza, 4th Floor
Boston, MA 02116
(617) 367-0025

Dated: June 24, 2015

CERTIFICATE OF SERVICE


I hereby certify that on June 24, 2015, I caused the foregoing *Exceptions to the Hearing Officer's Report on Objections* to be served electronically upon the following individuals:

Robert B. Kapitan
United Government Security Officers of America
International Union and Its Local 365
8670 Wolff Ct., Suite 210
Westminster, CO 80031
rkapitan@ugsoa.com

Jonathan B. Kreisberg
Regional Director
National Labor Relations Board
Region One
Thomas P. O'Neill, Jr. Federal Building
Boston, MA 02222-1072
Jonathan.Kreisberg@nlrb.gov

James Natale
East Coast Director
United Government Security Officers of America
International Union and Its Local 365
8670 Wolff Ct., Suite 210
Westminster, CO 80031
jnatale@ugsoa.com

Eric Pomianowski
Hearing Officer
National Labor Relations Board
Region 22
20 Washington Place, 5th Floor
Newark, NJ 07102
Eric.Pomianowski@nlrb.gov


Patrick L. Egan